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SUBJECT: DISTORTIONS IN ABUSE CASE OF CENTRAL HIGHLANDS ETHNIC
MINORITY INDIVIDUAL

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¶1. (SBU) Summary: A number of U.S. groups, including the Montagnard Foundation, published reports on the Internet claiming that an ethnic minority woman in the province of Dak Lak named H'Hlung Nie was badly beaten by police during interrogation, following the flight of a sister to Cambodia. These reports also claimed that her husband was a political prisoner. After interviewing H'Hlung Nie in private in her home on April 18, the allegations of physical abuse or her husband jailed for peaceful political activity do not appear credible. However, Nie apparently was the victim of an attempted assault by a police officer which local authorities sought to cover up. We have pressed senior provincial authorities to investigate the incident thoroughly and to ensure that the offending officer is accountable. End Summary.

¶2. (SBU) During a visit to the Central Highlands province of Dak Lak, April 16 to 18, HCMC PolOff and RefCord traveled to the town of Buon Le Da, to meet with H'Hlung Nie and one of her sisters, to discuss allegations that Nie was beaten by police during interrogation in her home on January 22. (Initially there was a heavy plainclothes police presence inside the home, but after some discussion we were able to shoo away the "cousins" and "uncles" without incident.) A press release from the South Carolina-based Montagnard Foundation alleged that "(three) security police repeatedly beat Nie's arm very hard" and that "her arm was severely bruised and battered." The security police are threatening her with more beatings." The same press release noted that Nie's husband Y-Phiar Adrong was a political prisoner who was arrested for participating in anti-GVN protests in 2001 and 2004 and has suffered torture in prison. The press release notes that "his family fears that he will not live long."

¶3. (SBU) Nie's depiction of the events surrounding that incident and the reason for her husband's imprisonment are at odds with information circulating on the Internet. Nie told us that police began to interview her following the flight of another sister -- H'Blung -- to Cambodia in December 2006. Nie first stated that H'Blung left because the government was "repressing Protestantism." However, after we pointed out that the government had already registered the local Protestant congregation before H'Blung's flight, Nie acknowledged that H'Blung was seeking to join her husband Y Liem Ksor, who was resettled in the U.S. after fleeing to Cambodia in 2001/2002.

¶4. (SBU) Nie told us that her sister H'Blung had made a previous attempt to flee to Cambodia in October 2005 but was caught. During this incident, Nie's husband was

implicated as an alien smuggler and sentenced to five years in prison for attempting to assist H'Blung and possibly others to flee to Cambodia. Nie told us that her husband participated in anti-GVN protests in 2001, but not in 2004. He was interviewed by police many times after the 2001 protest, but was never detained. Nie neither expressed concern for her husband's health in prison nor claimed that he had been tortured.

¶5. (SBU) Prior to the January 22 incident, Nie had been interviewed "two or three times" by police about the flight of her sister. During these interviews, police did not beat or threaten to beat her. One of the policemen that interrogated Nie was an officer named "Viet." In those sessions, Viet was accompanied by other officers and "behaved normally." Nie said that she had met Viet earlier when she was seeking police permission to deliver supplies to her imprisoned husband.

¶6. (SBU) On January 22, when Nie returned to her home -- she lives alone -- Viet was lying on her bed waiting. When she entered, he told her to sit down next to him and held her hands. He asked why she wasn't being "more cooperative" in the police investigation of her sister's flight to Cambodia. He then reportedly sat up and drew Nie to him and bit her twice, first on the back and then on her upper right arm. The bites did not break the skin, but left bruises, Nie said. Nie yelled, and a cousin came in, at which point the policeman rose, slipped a VND 50,000 (USD 3) note on the bed and left the house.

¶7. (SBU) After the incident, Nie filed a complaint with the local authorities. A few days later, another police team came to Nie's house. A policewoman heading the team apologized and offered her VND 200,000 (USD 12) as compensation. Nie said she refused to accept the money. Since the January 22 incident, police have come to her house once more to question her about her sister. Viet has never returned.

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¶8. (SBU) Nie and her sister said they had no knowledge that her story was on the Internet. Nie did not ask for any USG assistance except to help get her husband out of prison, because life was difficult without him.

¶9. (SBU) Nie appeared to be relatively well off compared to other ethnic minority individuals we have met. There was an expensive new motorbike belonging to a brother in the house; Nie said that she owned a second motorbike. Her house was in good repair and she wore gold jewelry.

¶10. (SBU) Comment: The Montagnard Foundation portrayal of the January 22 incident as well as the depiction of Nie's husband as a political dissident does not track with the facts of our interview with Nie. It appears that Nie was a victim of a rogue cop who made improper sexual advances. Local officials appeared to be aware of the nature of the incident but it is unclear if any action was taken.

¶11. (SBU) Comment Continued: In our follow up discussions with the district- and provincial Chairmen, we stressed that police abuse of power is not a unique problem to the Central Highlands or to Vietnam. However, it was incumbent upon government to punish violators when such abuses come to light. We urged the provincial leaders to investigate the incident thoroughly and take appropriate action.

¶12. (SBU) From what we can glean, it appears that Nie's sister H'Blung and her three children were abandoned by her husband after his resettlement in the United States. Nie told us that she was not aware of any contact between H'Blung and her husband, with the exception of one or two phone calls in 2004. There is no VISAS-93, family reunification petition for H'Blung on record. End Comment.

